



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3445

Introduced 2/22/2021, by Rep. Janet Yang Rohr

SYNOPSIS AS INTRODUCED:

New Act

Creates the Opioid Overdose Reduction Act. Provides that the Act may be referred to as Alex's Law. Provides that a person who, in good faith, seeks or obtains emergency medical assistance for someone experiencing an opioid overdose shall not be charged or prosecuted for possession of a controlled, counterfeit, or look-alike substance or a controlled substance analog if certain conditions are met. Provides that a person who is experiencing an overdose shall not be charged or prosecuted for possession of a controlled, counterfeit, or look-alike substance or a controlled substance analog if evidence for the possession charge was acquired as a result of the person seeking or obtaining emergency medical assistance. Provides that a person's pretrial release, probation, furlough, supervised release, or parole shall not be revoked based on an incident for which the person would be immune from prosecution under the provisions. Effective August 16, 2021.

LRB102 13298 KMF 18642 b

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title; references to Act.

5 (a) Short title. This Act may be cited as the Opioid
6 Overdose Reduction Act.

7 (b) References to Act. This Act may be referred to as
8 Alex's Law.

9 Section 5. Person seeking medical assistance for an opioid
10 overdose; immunity from prosecution.

11 (a) A person who, in good faith, seeks or obtains
12 emergency medical assistance for someone experiencing an
13 opioid overdose shall not be charged or prosecuted for
14 possession of a controlled, counterfeit, or look-alike
15 substance or a controlled substance analog if (i) evidence for
16 the possession charge was acquired as a result of the person
17 seeking or obtaining emergency medical assistance and (ii) the
18 person who seeks or obtains the medical assistance is the
19 first person to seek or obtain the assistance, provides a name
20 and contact information, remains on the scene until assistance
21 arrives or is provided, and cooperates with the authorities.

22 (b) A person who is experiencing an opioid overdose shall
23 not be charged or prosecuted for possession of a controlled,

1 counterfeit, or look-alike substance or a controlled substance
2 analog if evidence for the possession charge was acquired as a
3 result of the person seeking or obtaining emergency medical
4 assistance.

5 (c) A person's pretrial release, probation, furlough,
6 supervised release, or parole shall not be revoked based on an
7 incident for which the person would be immune from prosecution
8 under this Section.

9 (d) Nothing in this Section shall:

10 (1) be construed to bar the admissibility of any
11 evidence obtained in connection with the investigation and
12 prosecution of other crimes or violations committed by a
13 person who otherwise qualifies for limited immunity under
14 this Section;

15 (2) preclude prosecution of a person on the basis of
16 evidence obtained from an independent source;

17 (3) be construed to limit, modify, or remove any
18 immunity from liability currently available to public
19 entities, public employees by law, or prosecutors; or

20 (4) prevent probation officers from conducting drug
21 testing of persons on pretrial release, probation,
22 furlough, supervised release, or parole.

23 Section 99. Effective date. This Act takes effect August
24 16, 2021.